



California Energy Commission

DOCKETED
12-AFC-02

TN # 69969

MAR. 20 2013

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March 20, 2013

VIA EMAIL

Ms. Felicia Miller, Siting Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Re: Huntington Beach Energy Project (12-AFC-02)
Information Regarding Construction Risk Value (Public Health)

Dear Ms. Miller:

Applicant AES Southland Development, LLC submits for docketing the enclosed correspondence dated March 19, 2013 from Applicant's consultant, Jerry Salamy, to Ann Chu, California Energy Commission Staff, regarding the Huntington Beach Energy Project's construction risk value.

Respectfully submitted,

A handwritten signature in blue ink that reads "Kim Hellwig".

Kimberly J. Hellwig
Energy & Environmental Policies Specialist

KJH:jmw

cc: Proof of Service

Foster, Melissa A.

From: Jerry.Salamy@CH2M.com
Sent: Tuesday, March 19, 2013 3:19 PM
To: Ann.Chu@energy.ca.gov
Cc: Gerry.Bemis@energy.ca.gov; Obed.Odoemelam@energy.ca.gov; stephen.okane@AES.com; Foster, Melissa A.; Robert.Mason@CH2M.com; Cindy.Salazar@CH2M.com
Subject: RE: HBEP Construction Risk Value

Ms. Chu,

A review of HBEP Data Response Set 2A, Figure DR76-1 shows that the construction excess cancer risk exceeds the 10 in a million on the eastern fence line, in the adjacent open space area and a fuel oil tank farm - neither of which includes residential or commercial/industrial buildings. Rule 1401(c)(8) defines maximum individual cancer risk as the potential maximally exposed individual contracting cancer as a result of exposure to toxic air contaminants over a period of 70 year for residential and workplace receptors and not at the point of maximum impact. Based on our response to Data Request 75, the HBEP construction cancer risk at the nearest residential and workplace receptors are below 10 in a million and HBEP construction activities would comply with Rule 1401 if it were applicable. Furthermore, SCAQMD applies Rule 1401 on an individual permit unit basis and if we were to analyze HBEP construction impacts using the SCAQMD methodology, we would determine the maximum individual cancer risk for each individual piece of construction equipment, which would likely result in a cancer risk below 10 in a million at the point of maximum impact.

The excess cancer risk impacts occur on the eastern boundary due to the facts that construction activities are expected to occur very near the eastern fence line (HBEP Block 1 construction and Huntington Beach Generating Station Unit 5 - Peaker demolition both along the eastern fence line) and the annual predominant wind flow pattern (see AFC Appendix 5.1C, Figure 5.1C-1e for an annual windrose). The Point of Maximum Impact (PMI) cancer risk reported in the response to Data Request 75 and cancer risk isopleths shown on Figure DR76-1 are very conservative estimates as they assume construction would occur 24 hours per day, 365 days per year for 9 years or 78,840 hours at a very high breathing rate (see footnotes 3 and 4 of Data Response Set 2A). As the areas where the construction excess cancer risk are above 10 in a million occur in the open space area and the fuel oil tank farm east of the HBEP site, it is unlikely that an individual will be located within either of these areas for a significant portion of, let alone the entire 78,840 hours.

As noted in the AFC (Sections 5.1.8.1 and 5.9.3.3), the implementation of air quality construction mitigation measures would be expected to reduce the reported impacts to less than significant levels.

Please let me know if you have any additional questions.

Rule 1401

(b) Applicability

(1) Applications for new, relocated, and modified permit units which were received by the District on or after June 1, 1990 shall be subject to Rule 1401. Applications shall be subject to the version of Rule 1401 that is in effect at the time the application is deemed complete. Permit units installed without a required permit to construct shall be subject to this rule, if the application for a permit to operate such equipment was submitted after June 1, 1990.

(2) This rule shall apply to new, relocated, and modified equipment identified in Rule 219 as not requiring a written permit if the risk from the equipment will be greater than identified in subparagraph (d)(1)(A), or paragraphs (d)(2) or (d)(3) in Rule 1401.

(10) PERMIT UNIT means any article, machine, equipment, or other contrivance, or combination thereof, which may cause or control the issuance of air contaminants, and which requires a written permit pursuant to Rules 201 and/or 203. For facilities that have been issued a facility permit or Title V permit, a permit unit for the purpose of this rule means any individual article, machine, equipment or other contrivance which may cause or control the issuance of air contaminants and which would require a written permit pursuant to Rules 201 and/or 203 if it was not covered under a

facility permit or Title V permit. For publicly-owned sewage treatment operations, each process within multi-process permit units at the facility shall be considered a separate permit unit for purposes of this rule.

(8) MAXIMUM INDIVIDUAL CANCER RISK (MICR) is the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to toxic air contaminants over a period of 70 years for residential receptor locations. The MICR for worker receptor locations shall be calculated pursuant to the Risk Assessment Procedures referenced in subdivision (e). The MICR calculations shall include multipathway consideration, if applicable.

Please let me know if you have any additional questions.

Jerry Salamy
Principal Project Manager
CH2M HILL/Sacramento
Phone 916-286-0207
Fax 916-614-3407
Cell Phone 916-769-8919

From: Chu, Ann@Energy [mailto:Ann.Chu@energy.ca.gov]
Sent: Thursday, March 14, 2013 3:31 PM
To: Salamy, Jerry/SAC
Cc: Bemis, Gerry@Energy; Odoemelum, Obed@Energy
Subject: HBEP Construction Risk Value

Mr. Salamy,

In your Responses to Data Requests, Set 2A (Public Health #74-77), new risk values at PMI for construction were calculated. And they are higher than the significance level of 10 in one million (16.5 for children and 11.1 for adults). In page 4, it was written "... although the PMI excess cancer risk is greater than 10 in one million, the elevated risk only occurs in areas where public access is controlled (i.e., within the AES-controlled fence line) or in areas that are not considered residential, commercial, or habitable, as presented in Figure DR76-1. Additionally, potential exposure would be sporadic and limited in length." However, I checked LORS and found in SCAQMD Rule 1401, 10 in one million is the significance level for MICR (maximum individual cancer risk), no matter where it is. Therefore, the construction risk values are higher than the significance level and we need to propose some mitigation measures to reduce the risk.

I am wondering if you know why the risk values are so high, and if you would like to redo the analysis, or propose any mitigation measure to reduce the risk? Thanks.

Ann
Huei-An (Ann) Chu, Ph.D.
Air Resources Engineer
California Energy Commission
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**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
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**APPLICATION FOR CERTIFICATION FOR THE
HUNTINGTON BEACH ENERGY PROJECT**

Docket No. 12-AFC-02

**PROOF OF SERVICE
(Revised 03/07/2013)**

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*Indicates change

73544502.1 0043653-00005

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CONVENIENCE ONLY):**

After docketing, the Docket Unit will provide a copy to the persons listed below. Do not send copies of documents to these persons unless specifically directed to do so.

ANDREW McALLISTER
Commissioner and Presiding Member

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Commissioner and Associate Member

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Hearing Adviser

*Hazel Miranda
Adviser to Commissioner McAllister

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Patrick Saxton
Adviser to Commissioner McAllister

Galen Lemei
Adviser to Commissioner Douglas

Jennifer Nelson
Adviser to Commissioner Douglas

Eileen Allen
Commissioners' Technical
Adviser for Facility Siting

DECLARATION OF SERVICE

I, Judith M. Warmuth, declare that on March 20, 2013, I served and filed copies of the attached Applicant's Submittal of Information Regarding Construction Risk Value (Public Health) dated March 20, 2013. This document is accompanied by the most recent Proof of Service, which I copied from the web page for this project at: http://www.energy.ca.gov/sitingcases/huntington_beach_energy/index.html.

The document has been sent to the other parties on the Service List above in the following manner:

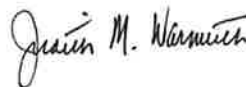
(Check one)

For service to all other parties and filing with the Docket Unit at the Energy Commission:

- I e-mailed the document to all e-mail addresses on the Service List above and personally delivered it or deposited it in the US mail with first class postage to those parties noted above as "hard copy required"; **OR**
- Instead of e-mailing the document, I personally delivered it or deposited it in the US mail with first class postage to all of the persons on the Service List for whom a mailing address is given.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.

Dated: March 20, 2013



Judith M. Warmuth